

Tara Newbery, Esq.
NV Bar No. 10696
Connaghan | Newberry
7854 W. Sahara Avenue
Las Vegas, NV 89117
Telephone: (702) 608-4232
Facsimile: (702) 946-1830
tnewberry@cnlawlv.com

Danny J. Horen
NV Bar No. 13153
Spartan Law, LLC
7854 W. Sahara Avenue
Las Vegas, NV 89117
Telephone: 702.625.1539
Facsimile: 702.548.4459
danny@spartanlaw.us

Attorneys for Plaintiff
Russell Patton

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RUSSELL PATTON,

Plaintiff,

v.

**FINANCIAL BUSINESS AND
CONSUMER SOLUTIONS, INC.
A/K/A FBCS,**

Defendants.

Case No.: 2:16-cv-02738-JCM-CWH

**STIPULATION TO STAY
DISCOVERY PENDING COURT'S
RULING ON PLAINTIFF'S FIRST
MOTION FOR LEAVE TO AMEND
COMPLAINT**

STIPULATION

Plaintiff RUSSEL PATTON (“Plaintiff”) and Defendant FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC. a/k/a FBCS (“Defendant”), by and through their counsel of record, hereby stipulate as follows:

1. Plaintiff propounded written discovery requests upon Defendant and provided Defendant with a Notice of Deposition for Defendant’s Person Most Knowledgeable (“PMK Depo”);
2. Defendant responded to Plaintiff’s written discovery;
3. Defendant’s PMK Depo is currently scheduled for April 26, 2017 in Pennsylvania;
4. Defendant filed a Motion for Summary Judgment (“MSJ”) on March 14, 2017 [Dkt. No. 14];
5. Plaintiff’s Response to Defendant’s MSJ is currently due on April 4, 2017;
6. Plaintiff believes that Defendant’s responses to Plaintiff’s written discovery requests have unveiled additional claims against Defendant, and Plaintiff is seeking leave to amend the Complaint to add the additional allegations (“Motion for Leave”);
7. The current deadline for Amending the Complaint is set for April 20, 2017;
8. Defendant did not agree to a Stipulation to Amend the Complaint;
9. However, Plaintiff and Defendant have agreed to stay discovery, depositions, and all pending deadlines surrounding Defendant’s MSJ in light of Plaintiff’s Motion for Leave to Amend the Complaint;
10. Should Plaintiff’s Motion for Leave be granted, Defendant will withdraw its Motion for Summary Judgment;
11. Should Plaintiff’s Motion for Leave be denied, Plaintiff will have 14 days from the date the Motion for Leave is denied to respond (“Response”) to Defendant’s MSJ, and Defendant will have 14 days from the date of Plaintiff’s Response to file a Reply to Plaintiff’s Response;

STIPULATION

12. Should Plaintiff fail to file a Motion for Leave to Amend Complaint by April 20, 2017, Plaintiff shall have until May 4, 2017 to file Plaintiff's Response to Defendant's MSJ.
13. Upon the judgment of this Court on the Motion for Leave to Amend Complaint, Plaintiff will re-notice the Deposition for Defendant's PMK Depo.
14. The discovery cutoff is currently set for July 19, 2017;
15. This is the first such request to stay discovery and is sought in good faith by the parties to minimize resources and time spent and not for the purpose of delay.

Date: March 27, 2017

SPARTAN LAW

/s/ Danny J. Horen
Danny Horen, Esq.
7854 W. Sahara Avenue
Las Vegas, NV 89117
702.625.1539
Email danny@spartanlaw.us
Attorney for Plaintiff

MORRIS, POLICH & PURDY
(with permission)

/s/ Matthew R. Carlyon
Matthew R. Carlyon, Esq.
3800 Howard Hughes Pkwy
Ste. 500
Las Vegas, NV 89169
Email: MCarlyon@mpplaw.com
Attorneys for FBCS

IT IS SO ORDERED:



U.S. MAGISTRATE JUDGE

DATED: 4/3/2017

STIPULATION